

# Alameda County Sheriff's Office

Santa Rita Jail  
5325 Broder Boulevard, Dublin, CA 94568-3309



**Gregory J. Ahern, Sheriff**

Director of Emergency Services  
Coroner - Marshal

NOTED + FORWARDED  
TO SHERIFF AHERN  
R.T. Lucas  
5/11/20

## MEMORANDUM

DATE: April 28, 2020

TO: Gregory J. Ahern, Sheriff

FROM: David Bonnell, Lieutenant

VIA: Chain of Command

*AS 5/12/2020*  
*M73ct*  
*5/11/20*

*⊕ CAPT. #1585*  
*T. Mason #832*  
*05/11/20*

SUBJECT: PRISON RAPE ELIMINATION ACT ANNUAL REPORT-2019

The Prison Rape Elimination Act (PREA) requires all law enforcement agencies with detention facilities of any kind to create an annual report of all sexual abuse and sexual harassment incidents reported within its facilities. This report must be completed, submitted to the Agency head and made public via the Agency's website. On an ongoing basis, we must identify problem areas and take corrective action. The report must include a comparison of the current year's data and corrective actions, along with those from prior years. It must provide an assessment of our progress in addressing sexual abuse and harassment.

On August 1, 2013, the Alameda County Sheriff's Office (ACSO) implemented the PREA standards. We disbursed educational and informational material to inmates and trained our staff. The staff training consisted of a new General Order, a Training Bulletin and staff assigned to present PowerPoint presentations agency-wide; refresher training is mandated every two years. The ACSO is dedicated to providing the safest facilities possible for those in our custody. Therefore, annual refresher training is provided agency-wide through the issuance of a Training Bulletin. In addition to the annual agency-wide refresher training, Detention and Corrections staff receive more specific training every two years, to include how to identify victims, crime scene protection and processing, and victim rights under PREA. This training occurs during the Standards for Training in Corrections course.

The ACSO previously operated two facilities: Santa Rita Jail (SRJ) and Glenn E. Dyer Detention Facility (GEDDF). Effective June 1, 2019, GEDDF was permanently closed and all inmates were transferred to SRJ. While GEDDF was in operation and currently at SRJ, a toll free "hotline" exists where inmates can confidentially report sexual abuse or sexual harassment. This allowed inmates an opportunity to seek outside advocacy and counseling from a community organization not affiliated with our Agency.

By PREA standards, the organizations who take these calls must be independent and not affiliated with the ACSO. Bay Area Women Against Rape, Highland Hospital Sexual Assault Center and Tri-Valley Haven for Women provide these services to our Agency at no cost to the inmate. During 2019, these organizations received 264 calls on the confidential telephone line: 262 calls were made from SRJ and 2 from GEDDF. Tri-Valley Haven made 541 on-site counseling visits to SRJ.

## 2019 Prison Rape Elimination Act Annual Report

Tri-Valley Haven also presented to groups of victims of sexual abuse and domestic violence. Their one-hour classes are designed to provide group therapy focused on sexual abuse and domestic violence survivors. Both classes were well attended, as the instructors received high praise from those who completed the courses. A total of 573 classroom hours were offered: 365 hours for male inmates and 208 hours for female inmates. In 2019, 101 male inmates and 73 female inmates participated in these classes. This number does include those who have participated in the class on more than one occasion. Tri-Valley Haven classes have proven to be very popular and often have a waiting list.

Throughout 2019, we provided materials to inmates on how to avoid and report sexual assault and harassment. The materials were distributed through various media formats to include but not limited to Inmate Orientation Video, Inmate Rules and Regulations, and handouts during the Intake process. The same information was provided on tablets distributed in several housing units as of this annual report. Information on reporting abuse and harassment are posted in all inmate common areas throughout the facility. Ongoing inmate education training includes the video from Just Detention International on sexual abuse prevention, which was provided weekly in both facilities through pre-scheduled programming on inmate televisions. During the duration of the video, no other channels are accessible.

A United States Department of Justice certified PREA Auditor, audited GEDDF in December 2018 and SRJ in August 2019. The audits lasted three days and encompassed every aspect of both facilities where inmates and staff have contact. The auditor conducted an extensive review of PREA related documentation, including Agency policies prior to their arrival. Once at the facility, the auditor spent time speaking with inmates and staff members. This was to ensure inmates and staff alike were aware of their rights and responsibilities under PREA, as well as examining inmate living, recreational and work areas. Both facilities were awarded the certification of compliance to PREA standards.

In 2019, 100 reports of Sexual Abuse (Non-Consensual Sexual Act/Abusive Sexual Contact) or Sexual Harassment were filed by inmates. SRJ generated 97 reports and GEDDF 3, representing an increase of approximately 25% from 2018. The rise at SRJ appears to be in part due to the closing of GEDDF in June 2019. The closing of GEDDF increased the daily population at SRJ by approximately 20%. The increase also appears to be due to the number of sexual harassment claims by inmates against other inmates, as this continued to show a steady climb over the years. There were 3 reports of sexual abuse/sexual harassment made by inmates, in which they stated the abuse occurred outside of ACSO facilities and included outside agency reports to Pleasanton Police, Solano State Prison and the Albion Correctional Facility in New York. A breakdown of the complaints is listed on the following pages.

### GLENN DYER DENTENTION FACILITY

<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
January 11, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
February 24, 2019	Inmate	Inmate	Abusive Sexual Contact	Unfounded
March 16, 2019	Inmate	Staff	Sexual Harassment	Unfounded

2019 Prison Rape Elimination Act Annual Report

SANTA RITA JAIL (SRJ)

<u>DATE</u>	<u>VICTIM</u>	<u>ACCUSED</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
January 17, 2019	Inmate	Inmate	Abusive Sexual Contact	Unsubstantiated
January 24, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
February 1, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
February 7, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
February 12, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
February 19, 2019	Inmate	Staff	Sexual Harassment	Unfounded
February 20, 2019	Inmate	Staff	Sexual Harassment	Unfounded
February 22, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
February 22, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
March 8, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
March 15, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
March 16, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
March 16, 2019	Inmate	Inmate	Abusive Sexual Contact	Unfounded
March 17, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
March 20, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
March 22, 2019	Inmate	Staff	Sexual Harassment	Unfounded
April 6, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
April 7, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
April 8, 2019	Inmate	Staff	Sexual Harassment	Unfounded
April 16, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
April 18, 2019	Inmate	Staff	Sexual Harassment	Unsubstantiated
April 18, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
April 26, 2019	Inmate	Inmate	Abusive Sexual Contact	Unfounded
April 28, 2019	Inmate	Staff	Sexual Harassment	Unfounded
April 30, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
April 30, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
May 1, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
May 4, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
May 5, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
May 6, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
May 11, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
May 22, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
June 3, 2019	Inmate	Staff	Sexual Harassment	Unfounded
June 4, 2019	Inmate	Inmate	Non-Consent Sexual Act	Substantiated
June 4, 2019	Inmate	Staff	Sexual Harassment	Unfounded
June 5, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unsubstantiated
June 8, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
June 10, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
June 15, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
June 15, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
June 16, 2019	Inmate	Staff	Sexual Harassment	Unfounded

## 2019 Prison Rape Elimination Act Annual Report

June 20, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
June 28, 2019	Inmate	Inmate	Non-Consent Sexual Act	Pleasanton PD
June 28, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
July 1, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
July 2, 2019	Inmate	Staff	Sexual Harassment	Unfounded
July 9, 2019	Inmate	Staff	Sexual Harassment	Unsubstantiated
July 19, 2019	Inmate	Staff	Sexual Harassment	Unfounded
July 20, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
July 22, 2019	Inmate	Staff	Sexual Harassment	Unfounded
July 28, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
July 30, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
August 3, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
August 9, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
August 13, 2019	Inmate	Staff	Sexual Harassment	Unfounded
August 18, 2019	Inmate	Staff	Sexual Harassment	Unfounded
August 23, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
August 24, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
September 2, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
September 3, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unsubstantiated
September 4, 2019	Inmate	Inmate	Non-Consent Sexual Act	Substantiated
September 8, 2019	Inmate	Staff	Sexual Harassment	Unfounded
September 9, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
September 9, 2019	Inmate	Staff	Sexual Harassment	Unfounded
September 10, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
September 14, 2019	Inmate	Inmate	Sexual Harassment	Substantiated
September 16, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unsubstantiated
September 18, 2019	Inmate	Staff	Sexual Harassment	Unfounded
September 18, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
September 20, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
September 20, 2019	Inmate	Inmate	Sexual Harassment	Refer to Albion Corr. N.Y.
September 25, 2019	Inmate	Staff	Sexual Harassment	Unfounded
September 26, 2019	Inmate	Staff	Sexual Harassment	Unsubstantiated
October 6, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
October 16, 2019	Inmate	Inmate	Non-Consent Sexual Act	Ref Solano State
October 16, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
October 16, 2019	Inmate	Inmate	Non-Consent Sexual Act	Unfounded
October 16, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
October 20, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
October 29, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
October 31, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
November 2, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
November 2, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
November 6, 2019	Inmate	Staff	Sexual Harassment	Unfounded
November 10, 2019	Inmate	inmate	Sexual Harassment	Unfounded
November 18, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
November 21, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
November 22, 2019	Inmate	Staff	Sexual Harassment	Unfounded
November 24, 2019	Inmate	Staff	Sexual Harassment	Unfounded
November 25, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
November 28, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated

## 2019 Prison Rape Elimination Act Annual Report

November 28, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
December 10, 2019	Inmate	Staff	Non-Consent Sexual Act	Unfounded
December 11, 2019	Inmate	Inmate	Sexual Harassment	Unsubstantiated
December 12, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
December 26, 2019	Inmate	Inmate	Sexual Harassment	Unfounded
December 29, 2019	Inmate	Staff	Sexual Harassment	Unfounded

Throughout both facilities, there were 76 reports of sexual harassment, 20 reports of non-consensual sexual acts, and 4 reports of abusive sexual contact. Of the 100 reports within our Detention and Corrections, 32 were against staff (a significant increase over 2018) and 68 were against other inmates. Of the 68 reports involving inmates only, 51 were for sexual harassment, 13 reports of non-consensual sexual acts and 4 reports of abusive sexual acts.

In regards to the reports of inmate on inmate sexual harassment, as a general rule, the suspected parties were reclassified to different housing units. In those events in which the victim was relocated, the victims were moved to other housing units within their classification to ensure their safety.

There were 32 reports which listed ACSO staff as being involved, and each of these cases was thoroughly investigated: 29 were determined to be unfounded, and 3 were found to be unsubstantiated. A review of these unfounded/unsubstantiated allegations were determined, based upon the investigation and a review of body-worn camera footage.

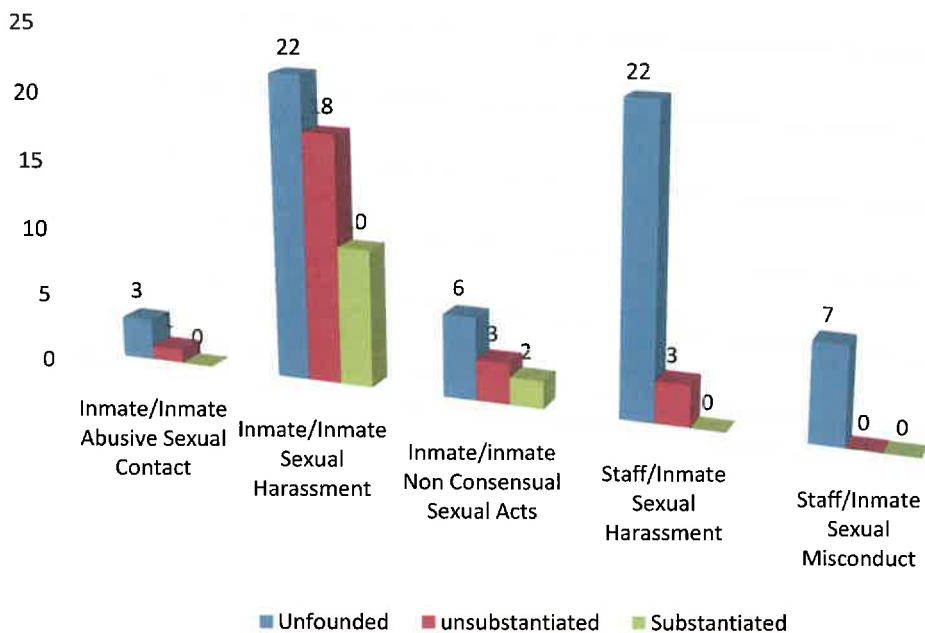
There was a significant increase in reports of sexual abuse and harassment against staff in 2019. It is my opinion, based upon the individual determination of each investigation, inmates continue to file false reports as a tactic to retaliate against staff. The number of incidents appears to have increased significantly due to the continued education of PREA, and inmates' efforts to manipulate PREA standards in an effort to move inmates and staff from their housing unit. In an effort to curb false reports, the PREA unit continues to educate inmates of jail rules and laws pertaining to filing false reports

After reviewing the 100 reports with regards to allegations of sexual harassment or sexual abuse, it is apparent all cases were thoroughly investigated in accordance with ACSO policy and PREA standards. There were three cases in 2019, which were submitted for consideration of complaint to the District Attorney. Of all the reports taken, three reports were taken after an inmate reported he was either sexually harassed or sexually abused at another facility while incarcerated. These investigations were handed over to the respective outside agency. Due to the fact these three incidents occurred at outside facilities, they are not reflected in our case breakdown in the following graphs.

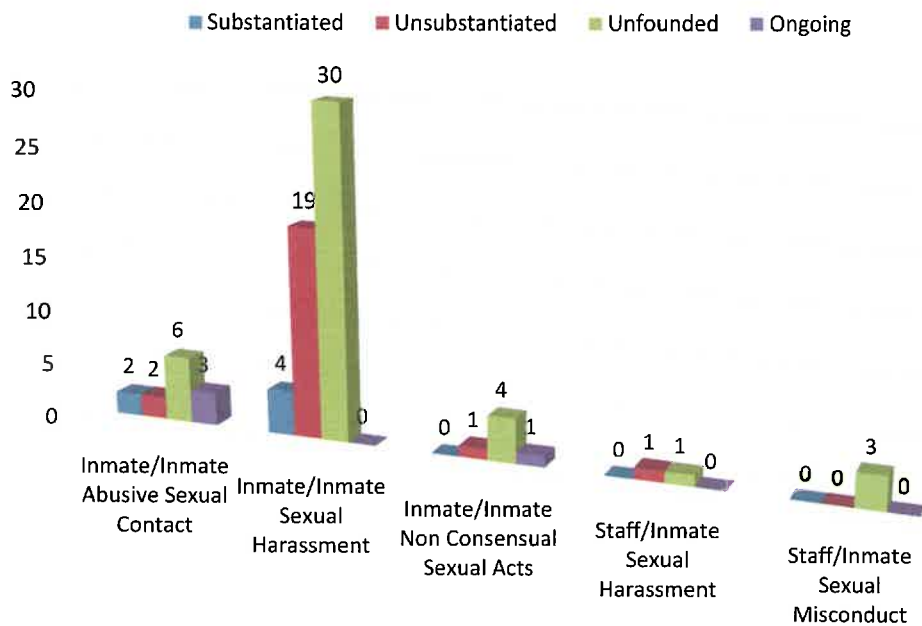
As in past years, several investigations have resulted in a determination of "Unfounded." This is based upon the inmate's admissions of using PREA reporting as a method to manipulate the process to either remove another inmate or staff member, or as an attempt to gain a more favorable housing assignment.

I have compiled historical data for the past 2 years (2018-2019) to provide a better representation of all incidents of sexual abuse and harassment throughout the Agency. This data covers six temporary holding facilities classified by PREA as "Lockups" (Courts and Patrol) and two jail facilities housing an average of approximately 2,523 inmates on a daily basis during 2019.

### Case Breakdown - 2019



### Case Breakdown - 2018

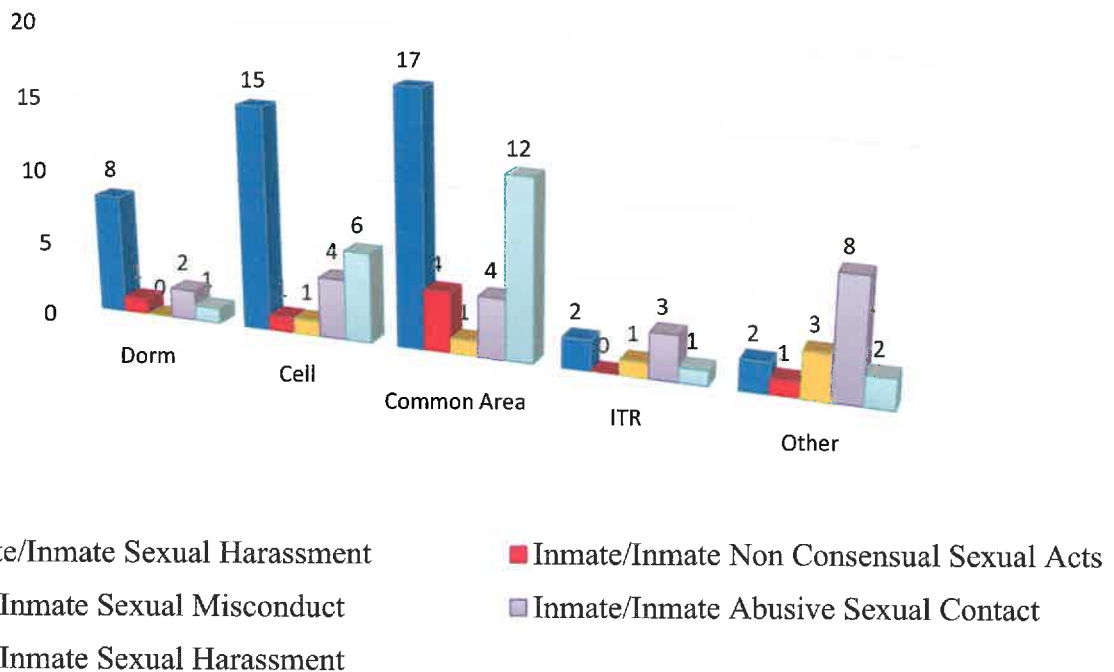


**Definitions**

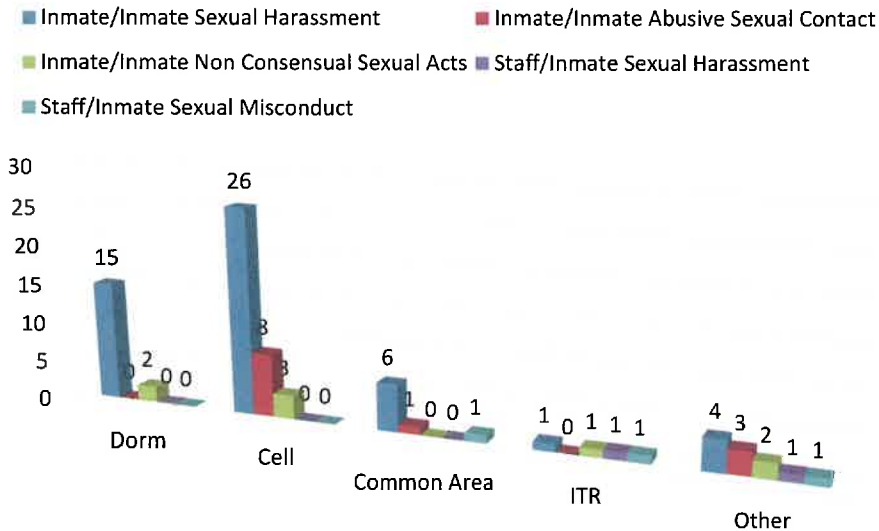
PREA defines the dispositions of the above sexual abuse and sexual harassment cases as the following:

- Unfounded refers to an allegation that was investigated and determined not to have occurred.
- Unsubstantiated refers to an allegation that was investigated and the investigation produced insufficient evidence to make a final determination as to whether or not the event occurred.
- Substantiated refers to an allegation that was investigated and the investigation produced sufficient evidence to make a final determination that the event occurred.
- Ongoing refers to an investigation that has not been completed.

**PREA Location Breakdown - 2019**



## PREA Location Breakdown - 2018



After reviewing all the reports from 2019, excluding those determined to be unfounded, inmates are typically victimized by other inmates and these crimes primarily occur in inmate living areas, where the inmates have a certain level of concealment from staff. This continued into 2019, with an increase in reports generated from inmates who alleged they were sexually harassed within the confines of their assigned cells.

The ACSO staff members conduct hourly checks of all inmates in accordance with California Title 15 Section 1027.5. These checks are documented in General Observation Logs. We are audited by the Board of State and Community Corrections (BSCC) every two years, with our most recent audit completed in June 2018. During this inspection, our General Observation Logs were determined to be in compliance.

The security upgrade project in progress at SRJ will include the installation of fixed video cameras in the common areas throughout the facility. This will allow for better monitoring of the inmates in our care and reduce concealment in these areas. This project was funded by the Board of Supervisors in June 2016 and cameras are currently being installed at SRJ. The GEDDF completed its camera installation prior to the facility permanently closing.

The ACSO staff continues to perform their duties in an outstanding manner, as they manage care, custody and control of our inmates. They work very hard every day and interact with the inmates regularly in a professional manner to ensure the Agency's mission is fulfilled.

DBB:dbb

*Reviewed -  
AS/12/2020*